

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

TONY ALLEN PRESSLER,

Plaintiff

Case No. 3:19-cv-00163-MMD-CLB

ORDER

v.

ELKO COUNTY JAIL, et al.,

Defendants

**I. DISCUSSION**

On April 22, 2020, the Court screened Plaintiff's complaint, dismissed the complaint in its entirety, and gave Plaintiff leave to file an amended complaint within 30 days. (ECF No. 7.) On May 18, 2020, Plaintiff filed a single page amended complaint without any factual allegations. (ECF No. 9.) Because it was not clear whether this was an accidental filing mistake, the Court gave Plaintiff an additional 30 days to file his amended complaint. (ECF No. 10.)

Plaintiff has now filed two identical motions requesting an extension of time to file an amended complaint. (ECF Nos. 11, 12.) In his motions, Plaintiff alleges that he is having difficulty filing an amended complaint because, among other issues, he does not have adequate access to the law library and jail staff are not assisting him in obtaining proof of his allegations. (ECF Nos. 11 at 1.) The Court notes that Plaintiff does not need to include any legal citations in his amended complaint or provide proof of his allegations. In the Court's screening order, the Court explained the legal standards for the claims that Plaintiff was attempting to bring. In his amended complaint, Plaintiff must allege facts that meet those standards, but he does not need to provide proof of his allegations or citations to legal cases.

The Court grants Plaintiff's motions for an extension of time. Plaintiff shall file his first amended complaint on or before August 1, 2020. The Court will not grant another extension of time for Plaintiff to file his first amended complaint. If Plaintiff fails to file a

1 timely first amended complaint, this action will be dismissed with prejudice for failure to  
2 state a claim. (See ECF No. 7 at 10.)


3 **II. CONCLUSION**

4 For the foregoing reasons, it is ordered that the motions for extension of time (ECF  
5 No. 11, 12) are granted.

6 It is further ordered that Plaintiff shall file his first amended complaint on or before  
7 August 1, 2020.

8 It is further ordered that, if Plaintiff fails to timely file his first amended complaint,  
9 this action will be dismissed with prejudice for failure to state a claim.

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11 DATED: June 29, 2020.

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14 UNITED STATES MAGISTRATE JUDGE  
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